

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK**

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ILUMINADA ORTEGA,

Plaintiff,

v.

CHAMPAGNE ROOM BK, INC d/b/a DRAFT  
BARN d/b/a END ZONE SPORTS BAR &  
LOUNGE, and RUBEN YEGHOYAN,

Defendants.  
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Case No.: 1:21-cv-1125 (NGG) (CLP)

**DECLARATION IN SUPPORT OF  
MOTION FOR LEAVE TO FILE  
AMENDED PLEADINGS**

**JONATHAN SHALOM, ESQ.**, declares, pursuant to 28 U.S.C. § 1746, under penalty of perjury, that the following is true and correct:

1. I am an attorney licensed to practice law in the State of New York and before this Court, and am also the managing member of Shalom Law, PLLC, attorneys of record for Plaintiff Iluminada Ortega in this case.

2. I submit this affidavit in support of Plaintiff's instant motion for leave to file an amended pleading. I have personal knowledge of the facts set forth below based on my review of the file and conversations with my client.

3. In the course of discovery in this case, Plaintiff received documents which provided the name of Defendant Ruben Yeghoyan's partner – Sarkis Avoyants – whose exact name Plaintiff did not know at the time of the complaint.

4. This is why the original complaint named numerous individual defendants who Plaintiff subsequently stipulated to withdraw her claims against (once those individuals came forward with satisfactory evidence to show that they were not involved in the Defendants' business).

5. Avoyants, however, *was* involved in Defendants' business.

6. As such, Plaintiff diligently sought leave to amend the pleadings once she learned of his identity.

7. Similarly, with respect to Plaintiff's wage-and-hour claims, Plaintiff first learned that she was not properly paid under the law when discussing backpay calculations for purposes of a damages analysis with your undersigned.

8. Upon first learning that she was not properly paid under the law, which she was unaware of prior to that time, Plaintiff sought leave to amend the pleadings to pursue wage-and-hour claims against the Defendants, including Avoyants.

9. Based on same, Plaintiff submits the instant proposed amended complaint, which seeks to replead only four of the five causes of action dismissed by Judge Wolford without prejudice.

10. For the foregoing reasons, Plaintiff's motion for leave to file an amended pleading should be granted as Defendants cannot in any way establish prejudice nor bad faith to support an Order denying the requested relief.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on September 9, 2022.

/s/Jonathan Shalom  
**JONATHAN SHALOM, ESQ.**